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George Timothy Kelly, M.D.

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA, SOUTHERN DIVISION

ANTHONY K. ANDERSON, an individual,

Plaintiff,

v.

NEVADA DEPARTMENT OF  
CORRECTIONS; HENRY LANDSMAN,  
M.D. an individual; ROMEO ARANSAS,  
M.D., an individual; REBECCA KOZLOFF,  
an individual; SONYA CARRILLO, R.N., an  
individual; GEORGE TIMOTHY KELLY,  
M.D., an individual,

Defendants.

Case No. 2:21-cv-00514-CDS-EJY

**REQUEST TO STAY DISCOVERY  
DURING PENDENCY OF DEFENDANT  
DR. KELLY'S MOTION TO DISMISS  
(ECF NO. 66)**

**(First Request)**

DEFENDANT GEORGE TIMOTHY KELLY, M.D. ("Defendant Dr. Kelly"), PLAINTIFF  
ANTHONY K. ANDERSON ("Plaintiff"), and DEFENDANTS NEVADA DEPARTMENT OF  
CORRECTIONS, HENRY LANDSMAN, M.D., ROMEO ARANSAS, M.D., REBECCA  
KOZLOFF, and SONYA CARRILO R.N. (collectively, the "NDOC Defendants"), by and through  
their respective counsel, hereby submit their Request to Stay Discovery During the Pendency of  
Defendant Dr. Kelly's Motion to Dismiss (ECF No. 66, filed on April 11, 2023).

The parties stipulate and agree as follows:

1. Plaintiff maintains one cause of action against Defendant Dr. Kelly (42 U.S.C. § 1983 –

1 Deliberate Indifference). *See* Third Amended Complaint (ECF No. 48).

2 2. On April 11, 2023, Defendant Dr. Kelly filed a Motion to Dismiss the Third Amended  
3 Complaint as to the deliberate indifference cause of action against him. (ECF No. 66).

4 3. On April 24, 2023, Plaintiff filed his Response to the Motion to Dismiss (ECF No. 71).

5 4. On May 30, 2023, Defendant Dr. Kelly filed his Reply in Support of his Motion to  
6 Dismiss, following extensions that this Court granted (ECF Nos. 73, 81, and 82).

7 5. The parties recently submitted a request to extend discovery deadlines by thirty days  
8 (ECF No. 84), which this Court granted (ECF No. 85) on July 25, 2023.

9 6. In subsequent discussions among counsel as to litigation expenses, the parties agreed that  
10 conserving resources is a prudent approach while the parties await the Court's decision regarding  
11 the Motion to Dismiss.

12 7. The parties have also agreed to submit a proposed discovery plan and scheduling order  
13 no later than two weeks after the Court issues its decision as to the Motion to Dismiss.

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1 It is so stipulated and agreed:

2 Dated: August 9, 2023

Dated: August 9, 2023

3 McCormick, Barstow, Sheppard,  
4 Wayte & Carruth LLP

Ogletree, Deakins, Nash, Smoak & Stewart,  
P.C.

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11 Dated: August 9, 2023

12 Nevada Attorney General's Office

13 By: /s/ Keith G. Munro  
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Attorneys for Defendants Nevada Dept. of  
17 Corrections, Henry Landsman, M.D.,  
Romeo Aransas, M.D., Rebecca Kozloff,  
18 and Sonya Carrilo, R.N.

19 Based on the parties' stipulation and agreement:

20 The Court will stay discovery until the Court issues its decision as to Defendant Dr. Kelly's  
21 Motion to Dismiss (ECF No. 66).

22 The parties will submit a new proposed discovery plan and scheduling order no later than  
23 two weeks after the Court issues its decision as to the subject Motion to Dismiss.

24 **IT IS SO ORDERED.**

25 DATED this 9th day of August, 2023.

26   
27 U.S. Magistrate Judge

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